

INTERNATIONAL SEARCH REPORT

Application No
PCT/GB 03/05457

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C07D413/14 A61K31/4439 A61P31/04

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 C07D A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

CHEM ABS Data, EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 01 94342 A (DONG A PHARM. CO., LTD., S. KOREA) 13 December 2001 (2001-12-13) claims; examples ---	1-15
P, Y	GRAVESTOCK, MICHAEL B. ET AL.: "New classes of antibacterial oxazolidinones with C-5, methylene O-Linked heterocyclic side chains" BIOORGANIC & MEDICINAL CHEMISTRY LETTERS (2003), 13(23), 4179-4186, XP002275942 the whole document ---	1-15
P, A	JP 2003 335762 A (MEIJI SEIKA KAISHA, LTD., JAPAN) 28 November 2003 (2003-11-28) the whole document ---	1-15 -/-

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the International search

2 April 2004

Date of mailing of the International search report

16/04/2004

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Schmid, J-C

INTERNATIONAL SEARCH REPORT

Application No PCT/GB 03/05457

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 00 21960 A (ZENECA LTD ;GRAVESTOCK MICHAEL BARRY (GB)) 20 April 2000 (2000-04-20) the whole document -----	1-15

INTERNATIONAL SEARCH REPORT

national application No.
PCT/GB 03/05457

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
Although claim 11 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
- No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Present claim 10 relate to a prodrug which is fefined by reference to a desirable characteristic or property, namely should be broken down in the human or animal body to give a compound of claims 1-9. The claims cover all compounds having this property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such products. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the compound by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the prodrugs disclosed page 18, line 18 to page 21, line 6.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

Application No PCT/GB 03/05457

Patent document cited in search report	Publication date	Patent family member(s)			Publication date
WO 0194342	A 13-12-2001	KR 2002071576 A	AU 5889701 A	BR 0111280 A	13-09-2002 17-12-2001 10-06-2003
		CA 2411859 A1	CN 1433413 T	EP 1289984 A1	13-12-2001 30-07-2003
		HU 0301562 A2	JP 2003535860 T	WO 0194342 A1	12-03-2003 29-12-2003 02-12-2003
		NZ 522990 A	US 2003166620 A1		13-12-2001 29-08-2003 04-09-2003
JP 2003335762	A 28-11-2003	NONE			
WO 0021960	A 20-04-2000	AU 754123 B2	AU 6113199 A	BR 9914379 A	07-11-2002 01-05-2000 07-08-2001
		CA 2342623 A1	CN 1322203 T	EP 1121358 A1	20-04-2000 14-11-2001 08-08-2001
		WO 0021960 A1	HU 0103929 A2	JP 2002527439 T	20-04-2000 29-07-2002 27-08-2002
		NO 20011738 A	NZ 510211 A	US 2003207899 A1	07-06-2001 30-05-2003 06-11-2003
		ZA 200102659 A			01-07-2002